

REMARKS

Information Disclosure Statement

The undersigned attorney assumed that the references listed in the International Search Report were forwarded by the International Office to the PCT Branch of the USPTO, and they, in fact, including the listed foreign references, may still be residing in the PCT Branch. However, Applicant encloses duplicate copies of the six listed foreign patent documents, together with a clean Form PTO/SB/08 A & B (modified), and respectfully requests Examiner White now to "consider" these references, and to return an initialed copy of the Form PTO/SB/08 in his next correspondence.

Claim Rejections - 35 USC §112

Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claims 16-29 (sic, 30), in view of the above claim amendments, especially the amendments to the **independent claims 16 and 24**.

The amendments to the independent claims 16 and 24 answer the Examiner's question as to what "does Applicant mean by 'essentially fixed'?". The modifier "essentially fixed" has been defined by incorporating language found in Applicant's specification at **page 3, lines 9-24**.

Other claim amendments are made in response to the Examiner's request that "Applicant needs to read back through the claims and correct all antecedent basis problems as well as all of

the unclear can confusing language and make sure that all of the structures are defined properly and clearly".

Claim Rejections - 35 USC §102

The Examiner rejects all of claims 16-29 (sic, **30**), **insofar as understood** under either 35 U.S.C. § 102(b) or 102(e) as being anticipated by Wade '020, Renault '643, Satoh '033, Hagiike '184 and Enno '323.

(Even though the Examiner did not include claim 30 in these rejections, for the purposes of this response, Applicant treats claim 30 as being included with the rejected claims 16-29 specified by the Examiner.)

A rejection based on "anticipation" requires that each applied reference disclose, either expressly or inherently, each limitation of each of the rejected claims 16-30, or in other words, that each of the rejected claims 16-30 be **readable** on each of the applied references. Applicant respectfully submits that clearly such is **not** the case here.

More specifically, and in particular respect to the above amended claims 16-30, none of the cited references has one hinging set of telescopic sliding profile elements on the extension (footrest) part **and** one further ("essentially" fixed) set of hinging telescopic sliding profile elements on the fixed (chair) part, as required by Applicant's claims 16-30.

It is the specific use of these two cooperating sets of sliding profile elements, according to the claimed invention, which allows automatic (manual) turning up and stretching out of the extension (footrest) part when pressure is applied on the "seat part" or "seat and backrest part",

whereas known systems, according to the state of the prior art, have one set of sliding profile parts, and do not allow manual operation of the mechanism but, rather, require motorized operation via a telescopic (pneumatic) actuator. (In this regard, Applicant also considered the references cited in the International Search Report.)

Thus, since none of claims 16-30 is readable on the disclosure of any of the cited prior art references, Applicant respectfully requests the Examiner to reconsider and withdraw the rejections under 35 U.S.C. § 102(b) and 102(e), and to find the application to be in condition for allowance with all of claims 16-30; however, if for any reason Examiner White feels that the application is not now in condition for allowance, he is respectfully requested to **call the undersigned attorney** to discuss any unresolved issues and to expedite the disposition of the application.

If Examiner White persists in the §102 rejections, he is respectfully requested explicitly to read each rejected claim on the disclosure of each applied reference.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this application, and any required fee for such extension is to be charged to

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLN. NO. 10/531,046

Deposit Account No. 19-4880. The Commissioner is also authorized to charge any additional fees under 37 C.F.R. § 1.16 and/or § 1.17 necessary to keep this application pending in the Patent and Trademark Office or credit any overpayment to said Deposit Account No. 19-4880.

Respectfully submitted,

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23373

CUSTOMER NUMBER

Date: January 4, 2007